(1) 3 Single Bench

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
(C.G.)

WRIT PETITION NO. 122 /2005

PETITIONER

Bali Karan Gurjar, son of Shri Dhanurdhari Gurjar, aged about 65 years, Assistant Development Education Officer (Sahayak Vikaskhand Shiksha Adhikari), Vikas Khand – Bhaiyathan, Tah. Surajpur, Education Distt. Surajpur, Distt. Surguja (Chhattisgarh), present address – village Kupa, Post Lanjit, Distt. Surguja Chhattisgarh.

R.P. No. 122/05
Pres. Adm. P. Tiwari
Date 19.01.05

Petitioner (W) Copy 1.1.05
Clerk to A. G. Bilaspur

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Education Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)

2. The Accountant General, State of Chhattisgarh, Raipur (C.G.)

3. The Accountant General, State of Madhya Pradesh, Gwalior, Madhya Pradesh.

4. The District Education Officer, Education Distt. Surajpur (C.G.)

5. The Block Edicatopm Officer, Vikas Khand Bhaiyathan, Tah. Surajpur, Distt. Surguja (Chhattisgarh).

सपथ आयुक्त
बिलासपुर (छ.ग.)
बिलासपुर तहसील कोर्ट

(2) 4

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER / ORDERS, DIRECTION / DIRECTIONS.

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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. No. 122 OF 2005

Petitioner : Bali Karan Gurjar

Versus

Respondents : State of Chhattisgarh & Others

Shri A.N. Bhakta, counsel for the petitioner.

Shri V.V.S. Moorthy, Deputy Advocate General with Shri A.S. Kachwaha, Government Advocate for the State.

ORAL ORDER

(31st March, 2006)

1. Learned counsel for the petitioner submits that the petitioner retired on 31.1.2002 from the post of Assistant Block Education Officer.

2. The petitioner has filed this petition claiming interest on the payment of G.P.F. amount as well as the interest on the same. G.P.F. amount i.e. 74,842/- has been paid to the petitioner.

3. It is submitted by the petitioner that the petitioner is entitled to interest at the commercial rate because the payment which became due immediately on retirement on 31.1.2002 was not paid before June, 2005.

4. Learned counsel appearing for the respondent/State submits that since the payment of G.P.F. amount has already been made, the State exchequer should not be burdened with payment of interest at commercial rate.

5. In the facts and circumstances of the case when admittedly the payment has been made after calculating the admissible interest on the amount of G.P.F., there is no necessity to grant additional interest on the said payment. Interest has already been paid.

6. For the reasons stated-above, the petition stands dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge